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AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Kyle Rackliff

CASE NO. **19 CV 00353**
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☐ Yes ☐ No

Plaintiff(s),

v.

U.W. Hospital

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Kyle Rackliff</u>
Street Address	<u>10008 28th Ave SW</u>
City and County	<u>Seattle King</u>
State and Zip Code	<u>98133</u>
Telephone Number	<u>(206) 856-7724</u>

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1 B. Defendant(s)

2 Provide the information below for each defendant named in the complaint, whether the
 3 defendant is an individual, a government agency, an organization, or a corporation. For an
 4 individual defendant, include the person's job or title (if known). Attach additional pages if
 5 needed.

6 Defendant No. 1

7 Name

u.w. Medicine

8 Job or Title (if known)

Doctors

9 Street Address

10008 28th Ave SW

11 City and County

Seattle WA 98133

12 State and Zip Code

98133

13 Telephone Number

(206) 456-7724

14 Defendant No. 2

15 Name

16 Job or Title (if known)

17 Street Address

18 City and County

19 State and Zip Code

20 Telephone Number

21 Defendant No. 3

22 Name

23 Job or Title (if known)

24 Street Address

City and County

State and Zip Code

Telephone Number

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Defendant No. 4

Name

U.W. Medicine

Job or Title (if known)

James S. Mathis

Street Address

P.O. Box 10444

City and County

Solby ~~██████████~~ Dublin, OH 43017-

State and Zip Code

4044

Telephone Number

(844) 332-8234

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

~~U.W.~~ U.W. Medicine had a breach
+ illegally gave some of my
protected Health Information out

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1 B. If the Basis for Jurisdiction Is Diversity of Citizenship

2 1. The Plaintiff(s)

3 a. If the plaintiff is an individual.

4 The plaintiff (name) Kyle Rackliff, is a citizen of the
 5 State of (name) Washington.

6 b. If the plaintiff is a corporation.

7 The plaintiff, (name) Kyle Rackliff, is incorporated under
 8 the laws of the State of (name) Washington, is incorporated under
 9 the laws of the State of (name) Washington, and has its principal
 10 place of business in the State of (name) Washington.

11 *(If more than one plaintiff is named in the complaint, attach an additional page providing*
 12 *the same information for each additional plaintiff.)*

13 2. The Defendant(s)

14 a. If the defendant is an individual.

15 The defendant, (name) James S. Mathis, is a citizen of the
 16 State of (name) Washington. Or is a citizen of
 17 (foreign nation) _____.

18 b. If the defendant is a corporation.

19 The defendant, (name) U.W. Medicine, is incorporated under
 20 the laws of the State of (name) Washington, and has its principal
 21 place of business in the State of (name) Washington.

22 Or is incorporated under the laws of (foreign nation) _____,
 23 and has its principal place of business in (name) Washington.

24 *(If more than one defendant is named in the complaint, attach an additional page*
providing the same information for each additional defendant.)

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3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

For a breach of protected Health information They involuntarily shared my health info

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

on December 26, 2018, U.W. Medicine became aware of an error in a database configuration that made internal files available online

IV. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I'd like to speak with a judge

I've been denied all legal rights.

the cops came to my house & wouldn't help me get my stuff, so that's how scary it is.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
4 identified, will likely have evidentiary support after a reasonable opportunity for further
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related
8 papers may be served. I understand that my failure to keep a current address on file with the
9 Clerk's Office may result in the dismissal of my case.

Date of signing:

Monday, March, 11

Signature of Plaintiff

Kyle

Printed Name of Plaintiff

Kyle Rackliff

Date of signing:

Monday, March, 11

Signature of Plaintiff

Kyle

Printed Name of Plaintiff

Kyle Rackliff

Date of signing:

Monday, March, 11

Signature of Plaintiff

Kyle

Printed Name of Plaintiff

Kyle Rackliff

UW Medicine

Return Mail Processing Center
PO Box 10444
Dublin, OH 43017-4044

UWM0203744136



KYLE JON RACKLIFF
10002 28TH AVE SW
SEATTLE, WA 98146 3707

February 19, 2019

Notice of Data Breach

Dear Kyle Jon Rackliff,

What Happened

On December 26, 2018, UW Medicine became aware of an error in a database configuration that made protected internal files available on the internet earlier that month. Certain information about you was exposed and we think it is important that you know of this incident. We apologize for any distress this may cause you.

What Information Was Involved

The files contained information about reporting that UW Medicine is legally required to make. Specifically, the files contained protected health information (PHI) including your name, medical record number, and the description and purpose of the information shared with an outside party in order to comply with reporting requirements. The nature of the PHI has been intentionally omitted from this letter to protect your privacy; however, we encourage you to call the contact number below for more detailed information.

- The content of the files was limited to reporting information.
- The files did not contain any medical records.
- The files did not contain any patient financial information.
- The files did not contain any Social Security numbers.

What We Are Doing

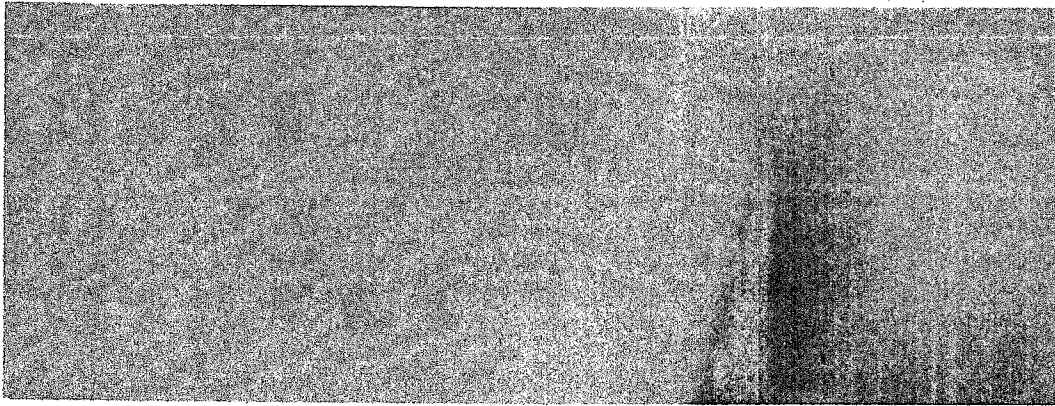
We want to assure you that we took immediate steps to remove the information permanently from the internet as soon as the vulnerability was discovered, and we are reviewing our internal protocols and procedures to prevent this from happening again. As required by federal law, we have also reported this incident to the Office of Civil Rights.

What You Can Do

At this time there is no evidence that your information has been misused. We encourage you to call (844) 322-8234 with any questions or go to <https://ide.myidcare.com/uwmedicine>. MyIDCare representatives have been fully versed on the incident and can answer questions or concerns you may have regarding this letter.

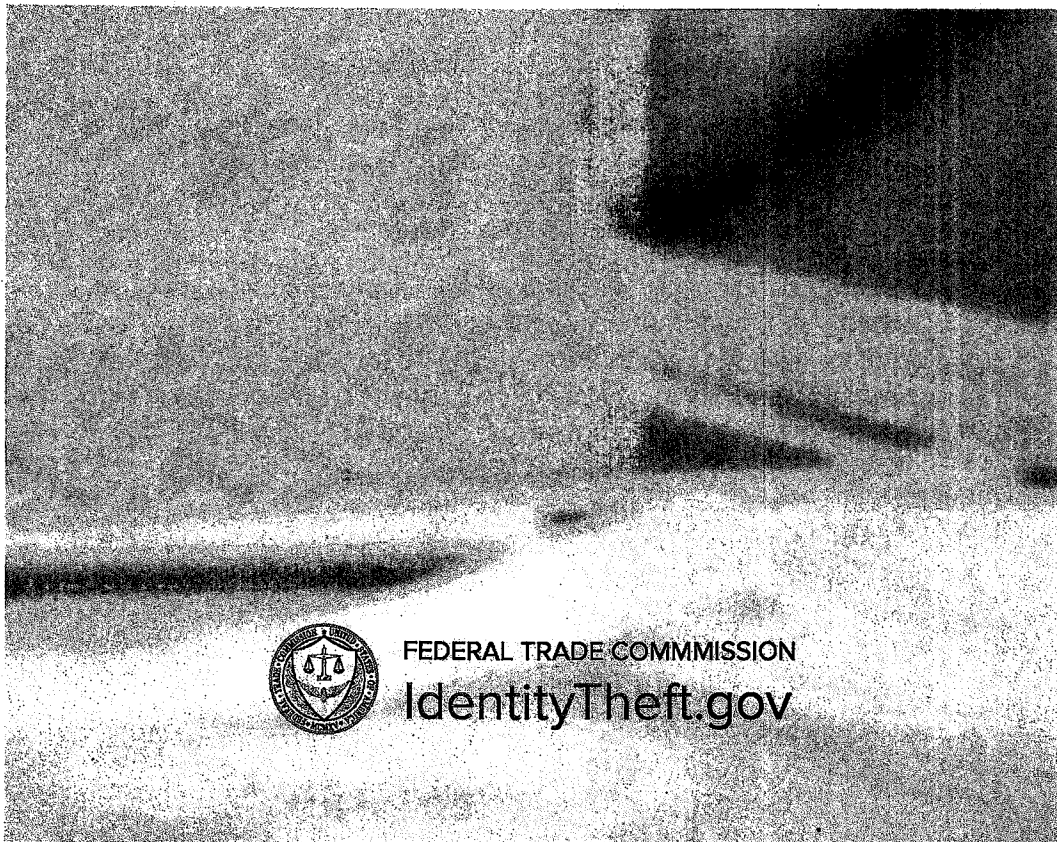
Sincerely,

James S. Mathis
Chief Compliance Officer
UW Medicine



Identity Theft

What to know, What to do



Go to IdentityTheft.gov for next steps.

Your next step might be closing accounts opened in your name, or reporting fraudulent charges to your credit card company.

IdentityTheft.gov can help — no matter what your specific identity theft situation is.



FEDERAL TRADE COMMISSION

IdentityTheft.gov

September 2016

What To Do Right Away

Step 1: Call the companies where you know fraud occurred.

- ☐ Call the fraud department. Explain that someone stole your identity. Ask them to close or freeze the accounts. Then, no one can add new charges unless you agree.

-
- ☐ Change logins, passwords, and PINs for your accounts.

Step 2: Place a fraud alert and get your credit reports.

- ☐ To place a fraud alert, contact one of the three credit bureaus. That company must tell the other two.

- **Experian.com/fraudalert**
1-888-397-3742
- **TransUnion.com/fraud**
1-800-680-7289
- **Equifax.com/CreditReportAssistance**
1-888-766-0008

A fraud alert is free. It will make it harder for someone to open new accounts in your name.

- ☐ Get your free credit reports from Equifax, Experian, and TransUnion. Go to **annualcreditreport.com** or call 1-877-322-8228.

-
- ☐ Review your reports. Make note of any account or transaction you don't recognize. This will help you report the theft to the FTC and the police.

Step 3: Report identity theft to the FTC.

- ☐ Go to **IdentityTheft.gov**, and include as many details as possible.

Based on the information you enter, **IdentityTheft.gov** will create your Identity Theft Report and recovery plan.

Is someone using your personal or financial information to make purchases, get benefits, file taxes, or commit fraud? That's identity theft.

Visit [IdentityTheft.gov](https://www.identitytheft.gov) to report identity theft and get a personal recovery plan.

The site provides detailed advice to help you fix problems caused by identity theft, along with the ability to:

- get a **personal recovery plan** that walks you through each step
- update your plan and track your progress
- print pre-filled letters and forms to send to credit bureaus, businesses, and debt collectors

Go to **[IdentityTheft.gov](https://www.identitytheft.gov)** and click "**Get Started.**"

There's detailed advice for **tax, medical, and child identity theft** – plus over thirty other types of identity theft. No matter what type of identity theft you've experienced, the next page tells you what to do right away. You'll find these steps – and a whole lot more – at **[IdentityTheft.gov](https://www.identitytheft.gov)**.

BIAS HURTS

discriminatory harassment is illegal in seattle

The Seattle Office for Civil Rights (SOCR) & Seattle Police Department uphold laws that protect you against bias incidents and/or discriminatory harassment - behavior that is directed at you because of your race, religion, gender and/or gender identity, sexual orientation, disability, national origin, and more. It can include:

- Threats, Slurs or Epithets
- Intimidation or Coercion
- Violence or Use of force
- Posting offensive materials on walls, bulletin boards, e-mail, etc...

REPORT DISCRIMINATORY HARASSMENT TO SOCR BY CALLING 206.233.7100
REPORT BIAS-RELATED CRIME TO THE POLICE BY CALLING 911



Seattle
Office for Civil Rights

